

The 29th November, 1971

No DOL/HR/71/16546.—The Governor of Haryana is pleased to select the following persons as Judges for the supervision of the Daily Draw to be held on 30th November, 1971 :—

1. Shri K. C. Gupta,
Economic & Statistical Adviser to
Government, Haryana, Chandigarh.
2. Shri O. P. Malik,
Examiner, Local Fund Accounts,
Haryana, Chandigarh.
3. Shri B. D. Garg,
Assistant Director,
Industrial Training Department,
Haryana, Chandigarh.

J. R. DHUIGRA,

Director of Lotteries-Cum-Deputy Secy.

HEALTH DEPARTMENT

The 23rd November, 1971.

No. 9004-ASD-HBU-71/36086. —In exercise of the powers conferred by section 9 of the Prevention of Food Adulteration Act, 1954 (Act No. 37 of 1954) read with rule 8 of the Prevention of Food Adulteration Rules 1955, the Governor of Haryana hereby appoints Shri Raj Kumar, Sanitary Inspector, as Food Inspector for the local area of the Tehsil in which the official is posted.

2. In exercise of the powers conferred by section 20 of the Prevention of Food Adulteration Act, 1954 (Act No. 37 of 1954), the Governor of Haryana hereby authorises Shri Raj Kumar, Food Inspector to institute prosecutions against the persons committing offences under the said Act within the limits of his respective local area.

B. L. AHUJA.

Commissioner for Health and Secy.

REVENUE DEPARTMENT

The 30th November, 1971

No. 9298-Admn-I-71/3384.—The Governor of Haryana is pleased to retire Shri Kidar Nath, Officiating Superintendent, Financial Commissioner's Office, Haryana, from Government service with effect from the after-noon of the 1st December, 1971, on his attaining the age of superannuation at 58 years.

H. L. GUGNANI, Deputy Secy

LABOUR DEPARTMENT

The 25th November, 1971

No. 13102-4Lab.-71/40073.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Haryana, Faridabad in respect of the dispute between the workmen and the management of M's Panipat Co-operative Sugar Mills Ltd., Panipat.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 6 of 1971

between

THE WORKMEN AND THE MANAGEMENT OF M'S PANIPAT CO-OPERATIVE SUGAR
MILLS LTD., PANIPAT

Present :—

Shri Raghbir Singh for the workmen.
Shri S. L. Gupta for the management.

AWARD

The following disputes existing between the management of M/s Panipat Co-operative Sugar Mills Ltd., Panipat and its workmen were referred for adjudication to this Tribunal by the Governor of Haryana, in exercise of powers conferred under clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, vide order No. ID/3223-27, dated 25th January, 1971.

- (1) Whether the Tube-well Operators should be confirmed as permanent employees instead of seasonal permanent ? If so; with what details and from which date ?
- (2) Whether the workmen who were working as machinemen (list enclosed) are entitled for any retaining allowance for year 1968-69 ? If so, with what details and from which date ?
- (3) Whether Shri Jagan Nath Dispenser be confirmed as permanent employee instead of seasonal permanent against a permanent vacancy in which a new man has been appointed ? If so, with what details and from which date ?
- (4) Whether the grade and scale of Shri Mohinder Singh, Mangal Dass and Gian Chand, store issue clerk, should be revised ? If so, with what details and from which date ?
- (5) Whether the grade and scale of Shri Jeet Ram and Shri Hardey Ram, A.C.S. should be revised ? If so; with what details and from which date ?
- (6) Whether the action of the management recruiting new workers in distillery section from outside instead of casual workers of the mills was justified and in order ? If not; to what relief to workers of the mills should be given.

On receipt of the reference notices were given to the parties and they put in their respective written statement. The following issues arose for determination from the pleadings of the parties :-

- (1) Whether the Sugar Mills Mazdoor Sabha, Panipat has *locus standi* to represent the concerned workmen ? (on workmen).
- (2) Whether the present dispute is not an industrial dispute because it has not been espoused by a substantial number of workmen of the establishment concerned ? (on management).
- (3) Whether the Tube-well Operators should be confirmed as permanent employees instead of seasonal permanent ? If so; with what details and from which date ?
- (4) Whether the workmen who were working as Machinemen (list enclosed) are entitled for any retaining allowance for year 1968-69 ? If so; with what details and from which date ?
- (5) Whether Shri Jagan Nath Dispenser be confirmed as permanent employee instead of seasonal permanent against a permanent vacancy in which a new man has been appointed ? If so; with what details and from which date ?
- (6) Whether the grade and scale of Shri Mohinder Singh, Mangal Dass and Gian Chand, store issue clerk, should be revised ? If so, with what details and from which date ?
- (7) Whether the grade and scale of Shri Jeet Ram and Shri Hardey Ram, A.C.S. should be revised ? If so, with what details and from which date ?
- (8) Whether the action of the management recruiting new workers in distillery section from outside instead of Casual workers of the mills was justified and in order ? If not, to what relief to workers of the mills should be given ?

Sixteen of the concerned workmen have come into the witness box besides examining their authorised representative Shri Raghbir Singh, Secretary, Sugar Mills Mazdoor Sabha, Panipat. They have further placed reliance upon documentary evidence consisting of :-

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| (1) Demand Notice, dated 4th October, 1969 | Ex. W.W.1/1 |
| (2) Authority letter got executed from the workers | Ex. W.W.1/2 |
| (3) True copies of the certificates issued by the Chief Chemist of the management | Exs. W.W.17/1 to W.W.17/3 |
| (4) List of 52 workers who can efficiently discharge these duties | Ex. W.W. 17/4 |

On behalf of the management three witnesses have been examined including Sarvshri Dhan Singh, Superintendent, Beant Singh, Dispenser, Hem Raj Sharma, Time-keeper. The documents produced by the management are :—

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| (1) List of the workers who have been working on Centrifugal Machines | Ex. M.W.1/1 |
| (2) Correct copy of the training certificate | Ex. M.W.2/1 |
| (3) List showing the pay-scales of the Assistant Can Supervisors | Ex. M.W.3/1 |

Arguments have been addressed on both sides and I have been taken through the entire evidence on record. My findings on the issues involved are as given under :—

Issue No. 1.—This issue has not been pressed on behalf of the management and is, therefore, decided in favour of the workmen holding that the Sugar Mills Mazdoor Sabha Panipat, has locus standi to represent the concerned workmen in the case.

Issue No. 2.—This issue has also not been pressed by the learned representative of the management and is accordingly found in favour of the workmen holding that the dispute involved in the case were properly espoused by the requisite number of workmen of the establishment concerned.

Issue No. 3.—It is common ground between the parties that there are in all 9 tube-well operators who are paid their wages seasonally while off season they are given only the retaining allowance. In other words none of these 9 tube-well operators has been made permanent despite there having put in service for 12 years or more. The plea raised on behalf of the management is that out of the 4 tube wells only one has to be worked during the off season for the supply of water to the residential colony and for the cleaning of the factory premises. Even if that is the position at least one tube-well operator has to work throughout the year in and off season and it has been urged on behalf of the concerned workmen that if not all at least one such tube-well operator should be made permanent. The contention is reasonable. The issue is accordingly decided in favour of the workmen and it is directed that the seniormost amongst the tube-well operators concerned shall be made permanent with effect from 25th January, 1971 (the date of the present reference).

Issue No. 4.—It has come in evidence that according to the recommendations of the First Sugar Wage Board all the machinemen were entitled to retaining allowance. The management contends that this allowance is being paid to the 70 centrifugal operatives as per list Ex. MW 1/1. The grievance of the workmen is that this list has been prepared arbitrarily without taking into consideration the merits of each and every case. Shri Dhan Singh, Superintendent, coming into the witness as M.W. 1 has deposed that this list had been prepared by the Chief Chemist and had further been approved by the General Manager. He however, admits that the concerned workmen were not given any opportunity of being heard before drawing up this list of 70 centrifugal operatives out of the total 109 persons concerned who were previously designated as centrifugal coolies. The Chief Chemist has not come into the witness box nor have I been referred to any principle or guidelines on the basis of which the alleged selection of 70 centrifugal operatives was made. The grievance of the workmen, therefore, appears to be reasonable. Admittedly only 70 machinemen are now entitled to the retaining allowance as per recommendations of the First Wage Board referred to above. In the circumstances, the selection already made by the management cannot be maintained and a new selection of the 70 Centrifugal operatives has to be made out of the 109 centrifugal coolies already working before the recommendations of the Wage Board were received according to the seniority on the basis of the date of appointment of each and every workmen concerned. The issue is accordingly decided in favour of the workmen.

Issue No. 5.—Shri Jagan Nath has been working as a Dispenser in the respondent mills since November, 1964, but he has not been made permanent so far. There was one permanent post of a Dispenser when he joined service against which, it appears, someone else was working. In 1968 the management recruited Shri Beant Singh M.W. 2 against that permanent post. The grievance of Shri Jagan Nath is that he being an old employee should have been confirmed as a permanent Dispenser against the above post in preference to Shri Beant Singh who is a retired hand. On the facts on record, however, his claim does not appear to be well founded. Shri Beant Singh is a qualified Dispenser having put in more than 30 years service in various Government Hospitals whereas Shri Jagan Nath has admittedly not passed any course for this job although he contends that he has to his credit 20 years experience as a Dispenser. In the circumstances, the appointment of Shri Beant Singh as a permanent Dispenser can not be held to be arbitrary or illegal. The mere fact that he is a retired hand could not stand in his way especially when he is fully qualified for the job. The discretion exercised by the management in the matter does not call for any interference. The issue is decided against the workmen.

Issue No. 6.—There are different categories of workers in the respondent mills but for the disposal of this issue we are concerned only with the store issue clerks and the general clerks. Before the recommendations of the First Wage Board the general clerks were in Grade V while the store issue clerks were in grade IV. The general clerks have now been fixed in grade III which is higher than grade IV. Sarvshri Mohinder Singh, Mangal Dass and Gian Chand, Store issue clerks, have put forward their claim for the revision of their grades. According

to them they were also entitled to be fixed in grade III as has been done in the case of the general clerks. According to the recommendations of the First Wage Board, however, they have to be put in grade IV and the management has fixed them accordingly. I have not been referred to anything in the recommendations of the First Wage Board which could entitle them to be fixed in Grade III nor is there any other material on the record to support their claim. According to the management the work of the general clerks is of a more onerous nature than that of the store issue clerks. That may or may not be true. There are, however, no reasonable grounds to interfere with the discretion of the management in the matter. The issue is accordingly decided against the workmen.

Issue No. 7.—This issue has not been pressed as the recommendations of the Second Wage Board have admittedly been implemented and Sarvshri Jeet Ram, Hardey Ram, A.C.S. have already been fixed in the grade and scale asked for. The issue has consequently become redundant.

Issue No. 8.—The management has started a Distillery section in the mills since 1968-69 for which admittedly 150 unskilled workers are required. The learned representative of the workmen has urged that the management is making fresh recruitment to work in the Distillery section in disregard of the rights of the 52 casual workers as per list Ex. W.W. 17/4 who have been working for the last so many years. The authenticity of this list has not been challenged on behalf of the management nor is there any denial of the fact that these persons have been working as casual workers in the mills. In the circumstances, there can be hardly any justification in ignoring the rights of these workers who by virtue of their experience would work better than the fresh hands. Taking into consideration all the facts it would be just and reasonable if such of the 52 casual workers as per list referred to above who have already put in work for at least 120 days in all are appointed in the distillery section in preference to the fresh hands. The issue is decided in favour of the workmen and the management is directed to revise the action taken by it in the matter accordingly. No other point arise for consideration.

In the result, the award is made in the light of my above findings on the issues involved and the management directed to grant relief/reliefs to the concerned workmen which they have been entitled to. In the circumstances there shall be no order as to costs.

O.P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 16th November, 1971

No. 1348, dated the 16th November, 1971

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 16th November, 1971

B. L. AHUJA,
Commissioner for Labour & Employment and Secy.

DEVELOPMENT DEPARTMENT

The 25th November, 1971

No. 1257-RDB-71/375. —In supersession of this Department Notification No. 15-Dev. Board-71/799, dated 16th February, 1971, the Governor of Haryana is pleased to constitute a High Powered Advisory Committee hereinafter called the Rural Development Board (Development Department) for the implementation of Model Village/Focal Village and other Rural Development Schemes in the State. The constitution of the Rural Development Board (Development Department) shall be as under :

Official Members

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| 1. Shrimati Indira Chakravarty | .. | Chairman |
| 2. Chief Minister, Haryana | .. | Vice-Chairman |
| 3. Development Minister, Haryana | .. | Vice-Chairman |
| 4. Finance Minister, Haryana | .. | Member |
| 5. Social Welfare Minister, Haryana | .. | Do |
| 6. Health Minister, Haryana | .. | Do |
| 7. Vice-Chancellor, Haryana Agricultural University, Hissar | .. | Do |

8. Commissioner for Finance & Secretary to Government, Haryana, Finance Department	Member
9. Secretary to Government, Haryana, Development & Panchayat Department	Do
10. Secretary, Housing Department, Haryana	Do
11. Secretary to Government, Haryana, Public Works Department	Do
12. Secretary, Agriculture Department, Haryana	Do
13. Registrar, Co-operative Societies, Haryana	Do
14. State Transport Controller, Haryana	Do
15. Director of Industries, Haryana	Do
16. Director of Health Services, Haryana	Do
17. Director of Panchayats, Haryana	Do
18. Director of Agriculture, Haryana	Do
19. Director of Fisheries, Haryana	Do
20. Director, Animal Husbandry, Haryana	Do
21. Chief Engineer, Public Health, Haryana	Do
22. Chief Engineer, P.W.D. (B.&R.), Haryana	Do
23. Senior Architect, Haryana	Do
24. Senior Town Planner, Haryana	Do
25. Chairman, State Social Welfare Board, Haryana	Do
26. Deputy Secretary, Development, Haryana	Member-Secretary

Non-official Members

1. Shri Banarsi Dass Gupta, M.L.A., Bhiwani (District Hissar).
2. Shri Chanda Singh, M.L.A., Village Butana, Post Office Nilokheri (District Karnal).
3. Shri Ishwar Singh, M.L.A., Chairman, Haryana State Agriculture Marketing Board.

Functions of the Rural Development Board (Development Department).

The functions of the Rural Development Board (Development Department) shall include :-

- (1) Planning and implementation of the Model Focal Village schemes in the State ;
- (2) Implementation of area planning schemes ;
- (3) Proper demarcation of village pinnies, regulation of future construction thereon according to a well conceived system of country planning ;
- (4) Construction and maintenance of link and approach roads and village lanes and pavement of streets ;
- (5) Provision of drinking water supply in the villages ;
- (6) Arrangements for proper drainage and refuse disposal systems in the villages ;
- (7) Provision of common latrines in the villages and introduction of a regular sanitation system in the houses, lanes, and common places ;
- (8) Provision for better health services by opening Civil Vets. Dispensaries in the villages and by providing health centres for child care, mid-wifery, etc. ;
- (9) Provision of better communication facilities in the villages by opening Post Offices, Telegraph and Telephone Centres and by introduction of Television ;
- (10) Plantation of trees and establishment of kitchen gardens ;
- (11) Establishment of godowns and Mandies, etc. for providing better marketing facilities to the rural masses ;
- (12) Spreading literacy in the rural areas by setting up schools and colleges wherever feasible and considered advisable ;

- (13) Devising of means to improve the living standard of the weaker sections, landless labourers and agricultural workers in the villages including the improvement of the housing facilities for them.
- (14) Devising of Revenue earning schemes for the villages including schemes for better utilization of the village shamlat lands :
- (15) Organisation of Rural Youth Clubs, Mahila Mandals, Recreation Centres, Libraries, Reading Rooms, Parks and other sources of entertainment and enlightenment for the rural masses :
- (16) Review of progress made in the model villages and under other rural development schemes from time to time.

2. The Rural Development Board (Development Department) shall be competent to include any scheme of Development in the rural areas in its plan and shall also be competent to co-opt as a member any person in the interest of implementation of any scheme.

3. The headquarters of the Rural Development Board (Development Department) shall be at Chandigarh or any other place fixed by the Government. The Rural Development Board (Development Department) shall meet at least thrice a year and the intervening period between the successive meetings shall not exceed 4 months in any case.

4. M. L. As. will draw Travelling Allowance and Daily Allowance as admissible to them as members of the Haryana Legislature. They will, however, draw their daily allowance and travelling allowance from the Haryana Vidhan Sabha Secretariat. The Secretary, Vidhan Sabha, will be the Controlling Officer for the purpose of countersigning the travelling allowance and daily allowance bills of the M. L. As.

5. The official members will draw travelling allowance and daily allowance as admissible to them under the Travelling Allowance Rules.

6. The Rural Development Board (Development Department), will function as a High Powered Advisory Committee of the Development Department and its decision in regard to the implementation of the schemes and incurring expenditure concerned therewith shall be final.

7. The works of the Rural Development Board (Development Department) shall be executed through the P. W. D. (B & R) and P. H. Branches.

8. The action taken by the erstwhile Rural Development Board prior to the date of issuance of this Notification shall be deemed to have been done by the reconstituted Rural Development Board (Development Department) under the provisions of this notification.

G. L. BAHUR, Secy.

AGRICULTURE DEPARTMENT

(MARKET COMMITTEES)

The 26th November, 1971

No. 5430-Agr. II(5)-71/16244 — In exercise of the powers conferred by proviso to clause (b) of Sub-section (5) of section 12 of the Punjab Agricultural Produce Markets (Haryana Second Amendment) Act, 1971 (Haryana Act No. 31 of 1971) and all other Powers enabling him in this behalf, the Governor of Haryana hereby appoints the persons mentioned against each to exercise the powers and perform the functions of the Committee within the meaning of the said section.

S. No.	Name of the Market Committee	Sub-Divisional Officer (Civil)
1	Sonepat	Sub-Divisional Officer (Civil), Secy. Sonepat

VINEET NAYYAR, Secy.